



INTERIOR BOARD OF INDIAN APPEALS

Terrance A. Carroll and Diane M. Carroll; Robert L. Harlan; Patricia Dynes;
and Richard Wells and Elveda Wells v. Northwest Regional Director,
Bureau of Indian Affairs

40 IBIA 120 (09/29/2004)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

TERRANCE A. CARROLL and DIANE	:	Order Dismissing Appeal
M. CARROLL,	:	
Appellants,	:	
	:	
ROBERT L. HARLAN,	:	Docket Nos. IBIA 03-132-A
Appellant,	:	IBIA 03-136-A
	:	IBIA 03-137-A
PATRICIA DYNES,	:	IBIA 03-138-A
Appellant,	:	IBIA 03-139-A
	:	
RICHARD WELLS and ELVEDA WELLS,	:	
Appellants,	:	
	:	
v.	:	
	:	
NORTHWEST REGIONAL DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee.	:	September 29, 2004

Appellants Terrance A. Carroll, Diane M. Carroll, Robert L. Harlan, Patricia Dynes, Richard Wells, and Elveda Wells sought review of July 11, 2003, decisions of the Northwest Regional Director, Bureau of Indian Affairs (Regional Director; BIA), concerning the rental adjustments of their respective leases. On December 8, 2003, the Board of Indian Appeals (Board) consolidated and stayed the appeals. The stay was imposed because the parties had entered into settlement negotiations.

On September 27, 2004, the Board received a Joint Motion to Dismiss signed by the parties. The joint motion represented that a settlement has been reached and that appellants and landowners have entered into modifications of the leases to reflect settlement. The modifications of the leases have been approved by BIA. The parties requested that the appeals be dismissed with prejudice.

After consideration of the Joint Motion to Dismiss, the Board grants the motion. The Board appreciates the parties' successful efforts to settle these appeals.

Therefore, pursuant to the authority delegated to the Board by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is dismissed on the basis of a settlement reached between the parties.

// original signed
Colette J. Winston
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge